

**Mr. K. T. BHASHYAM AIYANGAR.**—Were any representations made to the Government or was the Assembly consulted before the Government ordered the cutting down of the length of the barrels?

**Mr. S. P. RAJAGOPALACHARI.**—I should like to answer that question after due verification and in connection with the representation already referred to.

## GOVERNMENT BUSINESS—*contd.*

### General Principles of the Mysore Newspaper Bill—*concl'd.*

After a brief reference to the history of the Mysore Newspaper Act, **Mr. H. K. VEERANNA GOWDA** said that the Government's promise to lessen the rigour of the law was as old as 10 years. After such a long delay, the Government had now proposed to enact a law which was more rigorous than the existing one. Under the existing law, every editor of a newspaper was required to obtain permission of the Government in the first instance and then a licence from the Magistrate. Although many had pointed out that the permission of the Government was quite unnecessary, it had not been done away with in the bill under contemplation. The provision regarding magisterial licence also was embodied in the proposed law. But it had not been a point of dispute between the Government and the Press. The main complaint was that whereas under the present law, the power of a Magistrate was limited to giving a licence, in the proposed law, the demanding of heavy securities more than once and forfeiting them also were provided for in addition. In this respect, the new law was harsher than the existing one. It was stated on behalf of the Government that the penal provisions of the law had been made with a view to preventing the spread of seditious or other objectionable matter by the editors in general. And this, it was contended, would be in the interests of the general public. If penal provisions were made with a view to preventing the publication of

all objectionable or dangerous matter, the speaker was tempted to ask whether on the same analogy the Government would close down by legislation all hotels in view of the possibility of one of the hotels serving poison mixed with food or close down all grocers' shops on the remote possibility of the provisions sold by any one of them containing admixture of unhealthy stuffs.

The member objected in particular to the provision relating to the Government themselves having the power to order the suspension of licence and such other summary powers. No doubt, the Government could explain it away by saying that even though the demanding of securities was provided for in the law, it was open to the Magistrate to decide with reference to the merits of each case whether or not to demand security, and that the Magistrate was free to pass orders granting or refusing the licence. But, as a matter of fact in Mysore, the scheme of separation of the executive from the judiciary was not complete, though in theory it was prevalent. So that, the magistrates might pass their orders in accordance with the wishes of those in power. In this view, the editors had just ground for fear that the magistrates might not pass orders according to their own independent judgments. After all, the question whether a particular article was seditious or not, or whether a particular criticism was reckless or responsible, was a matter of individual opinion. Even on the question of sedition, opinion had undergone a radical change in the neighbouring provinces of British India. For example, some of those governments had declared certain writings as seditious and forfeited the securities deposited by concerned editors. But subsequently, the Congress Ministries held a different opinion with regard to those particular writings and were returning the forfeited securities. Thus, the question how far newspapers deserved to be placed under check was one for decision from a proper angle of vision. At a time when the angle of vision had undergone a change in the neighbouring provinces, it was unfortunate that the Government

of Mysore should be proposing to substitute a new law for the existing one which was not so replete with rigour.

Proceeding, the member said that he did not believe that some of the members who had spoken in favour of the proposed law had informed themselves sufficiently well on this question. Nobody would have any quarrel if *some control* was sought to be provided for. If the Government provided for some control and left it altogether to the law courts to exercise that control, the House might not object to the bill under discussion. In particular, the member was anxious that the executive should have no voice in deciding whether what an editor might do would constitute an offence or not, and whether he should be punished or not. These were questions to be decided only by courts of law. But instead of leaving these powers in the hands of the courts, the Government were proposing to retain them in their own hands, providing only for some power to be exercised by the courts of law.

For these reasons, he was strongly opposed to the bill.

**Mr. Hosakoppa KRISHNA RAO** regretted that a stringent measure like the one before the House should have been proposed by the Government in these democratic days, more especially soon after the Dewan's visit to so many free countries in the West. He said that the Newspaper Act was originally enacted in Mysore for a particular purpose. The author of that measure, Mr. V. P. Madhava Rao, the then Dewan, had himself indicated in the course of his evidence before the Parliamentary Committee, that if he had only continued in office, he would have himself repealed that Act when once its purpose had been served. Such being the case, there was little justification in keeping the law on the Statute Book at the present time. It was stated in the statement of objects and reasons that this bill had been proposed in accordance with the wishes of the Representative Assembly and the Legislative Council. What those Houses had asked for was that the existing Act should be repealed and that another

measure bereft of its penal provisions and rigour should be brought up. Having promised to do so, the Government were now proposing a law which was more rigorous than the existing one. If this measure was passed, no newspaper could thrive in the State; and the progress of the State along healthy lines would be out of the question. Personally, he felt that the absence in the State of any high-class newspaper was due solely to the operation of the Newspaper Act as in force at present. If therefore a more rigorous law came to be enacted, no editor would think of sinking a heavy capital and running a newspaper. Consequently, the general public would be denied the benefits of all the enlightenment which newspapers were capable of spreading. He did not see any reason why the Government should anticipate that editors would go wrong and jeopardise the general interests of the State and provide for steps for dealing with them. In his opinion, a wise government should leave the editors to do what they liked and if they really committed any offence, then it would be time for Government to take action against them.

In this view, he was strongly opposed to the proposed measure.

**Mr. KHAJI SYED YUSUFF SAHIB** pointed out that the proposed measure was thought of by the Government only as a result of the representation made to them in the Assembly that a law on the lines of the British Indian Newspaper Act should be substituted for the existing Act. There was no difference of opinion on the main principle that the Government must have some sort of control over newspapers in general. That was in fact the case even in the governments of all free countries of the west. It would certainly lead to difficulties if there was absolute freedom of Press. If, unfortunately, a disturbance of the peace broke out anywhere and each newspaper published exaggerated versions thereof, it might lead to calamitous results. In such cases, the Government must have the power to suspend the licences. Even the Congress Ministries to which some of the earlier speakers

had referred, had not repealed the Newspaper Act. On the other hand they were making full use of the existing law. It would not do, therefore, for any one to suggest that the Government should have no control at all over the newspapers. People of Mysore were agitating for the establishment of Responsible Government in the State. If this ambition of theirs had to be realized, it was incumbent upon the leaders of the public to show a certain measure of self-restraint from now and prove to the world that they were fit to hold positions of trust and responsibility in the days to come. How was Responsible Government to be conceded if the leaders did not conduct themselves in a responsible manner?

Proceeding, the speaker pointed out that one member had suggested that no Newspaper Act was necessary at all in the State because, all the offences which editors of newspapers were likely to commit and penalties for them had been provided for in the Indian Penal Code as in force in Mysore. If this argument was to be accepted, then it might as well be contended that all special laws in force should be repealed; because practically all offences were duly dealt with in the said Penal Code. Next, though the Newspaper Act was long in force in the State, the speaker would ask how many editors had been punished under that special law. Personally, he was not aware of any case. No doubt, recently the licences granted to some vernacular papers had been withdrawn. But that was a step which the Government were compelled to take in view of the highly exaggerated reports which had appeared in those papers in connection with the recent unfortunate firing incident at Vidurawatha. If such versions had not been published, the editors would not have come to trouble at all. So, as a matter of general principle, everybody must agree that it was necessary for the Government to have some sort of control over newspapers. The question of particular provisions being too rigorous or harsh and such other details might, however, be left for discussion.

R.A.

in the Legislative Council and the select committee thereof.

In this view, he had no hesitation in extending his support to the bill.

Mr. GURUBASAPPA, who spoke next, remarked that some of the newspapers were in the habit of publishing exaggerated reports of news in which they were interested and of belittling the importance of events which were not to their individual tastes. With a view to discourage such things, he was in favour of the proposed measure.

Mr. MIR MOHAMED SAHIB did not see any point in the objection that if the proposed law was enacted, the inevitable result thereof would be to kill all newspapers. Even in the recent weeks when the licences of some Kannda papers had been withdrawn there were papers like the *Daily Post* which were never interfered with by the authorities. Some of the newspapers which were not financially well off, had taken to publishing exaggerated and sensational reports of events with the sole object of catering to the credulous public and making money in that way; and if the Government retained the power to exercise due control over such newspapers, the editors thereof would be in constant fear that one means of increasing their sales would be curtailed. For this reason, a law like the one proposed was certainly necessary. He therefore supported the bill.

Mr. SYED MOHIYUDDIN HUSSAIN also supported the bill and said that in every country all trades and professions were subjected to laws of various kinds. Even as individuals, subjects of every State were bound to obey certain laws. In matters of religion also, they were bound by laws which were called *Sastras*. Such being the case, he did not see why one profession alone, viz., journalism, sought to be free from all restrictions. The Newspaper Acts of several provinces had been in force for a long time. It was only recently, after the Congress movement gained a stronghold in the State, that an agitation against the prevailing Press Law was set up. He did not believe there was much point in that agitation. If there was no Press Law, there would

4\*

Karnataka State Archives  
(Departmental Library)

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರಿಕಾ ಸಂಪನ್ಮೂಲ

(ಇಲಾಖಾ ಗ್ರಂಥಾಲಯ)

ಪ್ರಾಪ್ತಿ ಕ್ರಮಾಂಕ Accession No.(5).....4688

ದಿನಾಂಕ Date.....

be no authority to keep editors of newspapers under check. Just as the police were necessary to apprehend burglars and culprits, a press law was necessary to keep journalists under check. Honest and well-meaning editors had nothing to fear from such a law and in this view, he said that the House should support the proposed legislation.

Mr. K. VENKATASWAMIAH did not dispute the fact that a law of some kind was necessary to regulate and control newspapers. The only point of dispute was that whereas the representatives of the people were urging for a law less rigorous than the present, the Government had proposed a law which was quite the reverse of it. Secondly, it was a point for consideration that any Press Law enacted in Mysore, however rigorous and stringent, could have effect only on the newspapers printed and published within the State. Outside newspapers were not affected in the least by it and the Government could take no action whatever against such newspapers. So, no useful purpose could be served by the Government placing undue restrictions on newspapers published in the State. For instance, in connection with the recent Vidurawatha disturbances, the Government had withdrawn the licences given to certain local newspapers on the ground that they had published exaggerated reports. But newspapers from outside did publish the popular versions and they had plenty of circulation in the State. The Government could not take any action against them. The only effect of withdrawing the licences of the local newspapers was that outside newspapers were able to make a mint of money in Mysore.

In the next place, the question of unemployment was assuming serious proportions in the State and both the Government and the University were considering how best to solve the problem. In fact, as a step in that direction, the University was proposing to open courses in journalism in some of the higher classes. At such a time it would be unfortunate to place undue restrictions in the way of the growth and development of journalism in the State.

In Travancore and Cochin which were several times smaller than Mysore, the number of newspapers—dailies, weeklies and monthlies—was very much larger than in Mysore, and the level of general education also was very much higher here. If, instead of placing obstacles in the way of newspapers, the Government of Mysore gave sufficient encouragement and facilities to them they would help the State in improving the level of general education. If, on the other hand, the proposed law was persisted in and enacted, journalism would receive a set-back in the State.

Continuing, the speaker stated that he did not agree to the charge that the local newspapers generally published false and exaggerated news. The bulk of the newspapers were doing valuable educative work under trying conditions and deserved every sympathy and support at the hands of the Government. In this view, he requested the Government to withdraw the proposed legislation and bring forward another bill in its place with liberal provisions.

Mr. H. M. CHANNABASAPPA also opposed the bill and said that the very fact that the Government had been emboldened to propose a repressive measure like this was in itself an indication of the weakness and helplessness of the general public. The measure was certainly not in consonance with the spirit of the times. Those who had supported the bill so far had done so merely for the sake of supporting the Government's move. The provisions of the bill were such as to strike terror into the heart of any one who looked into them and for this reason a large number of educated youngmen who were proposing to take to the noble profession of journalism were dissuaded from doing so, all on account of the difficulties which they might be subjected to if the proposed measure became law. The speaker was at a loss to know why the Government in these days were seeking to emulate the examples of conservative countries, ignoring the lessons which more advanced administrations had offered. The Government had stated in the statement of objects and reasons of this bill that the measure had been

drafted on the lines of the Criminal Law Amendment Act in force in British India. It was well-known now that that Act had been enacted in British India with the sole idea of killing nationalism. If the Government of Mysore with all their professions of sympathy for nationalism copied such a law from British India, then one would be compelled to doubt the sincerity of the Government.

It was conceded in all quarters that newspapers were doing splendid work and that journalism itself was a noble profession. The editors were in many cases showing a spirit of self-sacrifice in running their papers and they were affording education to the generality of the public in a sense more effectively than schools and colleges could. As a result of the educative work done by newspapers in Mysore, even ordinarily ignorant, illiterate and aged raiyats in all the nooks and corners of the State had come to realize the duties and responsibilities of the State and the duties and rights of the subjects. At such a time, if the Government sought to keep all the newspapers under their thumb, well-meaning persons could not but regret the intentions of the Government and do all they could to thwart such an intention. The provisions which related in particular to editors having to obtain permission from the Government first and licence from magistrates next and also those relating to the furnishing of securities with the attendant risk of the same being forfeited looked to be of such a nature as those which were applied against criminals. The speaker for his part did not know why the editors of newspapers should be treated like criminals. Only at the previous session, the Dewan had paid a glowing tribute to the services rendered by the local press to the State and it was an irony of fate that so soon after that, the Government presided over by the same Dewan should have proposed a measure so repressive and retrograde as the one under discussion. At this rate, one had reason to fear that the Government might in days to come propose similarly to bring in that profession under its

direct and inescapable control. It was stated on behalf of the Government that the securities were only intended to dissuade editors from the possibility of committing the offences. The speaker would ask the Government whether they were in the habit of taking securities from their own highly paid officials simply because there was a possibility of at least some of them making mistakes sometimes. Surely, this was not the way of preventing mistakes. If this was not so, he did not see why the editors of newspapers should alone be singled out for the distinction of depositing securities even in advance of starting their newspapers. The only inevitable conclusion which he could draw was that the Government viewed with grave concern the general awakening that had come over the State and were trying their very best to curb it. It was a measure which no one interested in the progress of the State could support. He therefore strongly opposed it.

Mr. S. RAMAPPA observed that if Mysore should retain its reputation as a model State and also aspire for still higher status in the future, it should give every possible encouragement to the local newspapers. All round progress could not be secured by mere starting of industries and construction of tanks. Even if lakhs of rupees were spent on schools and colleges, they could not bring about as much education of the masses as by encouraging newspapers. Advanced countries like Japan, England, etc., had attained their present level of education and progress more on account of newspapers that were in circulation in those countries—thanks to the liberty and encouragement which their governments were giving them. It was the ambition of the members of the Assembly that every village in the Mysore State should be served with a good newspaper and that every man and woman including children should be enabled to read and profit by newspapers. It was also their ambition that the newspaper profession should thrive to such an extent as to make the newspapers available at a single pie each. So long ago as 1865, His Highness the late Maharaja had been pleased to give

very liberal financial help to a certain paper called *Karnataka Prakasika*. It was unfortunate that in such a State, a retrograde measure like the one in question had been proposed by the Government in these days of general awakening. Undoubtedly, people of this State were absolutely poor and so also the editors of newspapers. How then could they afford to deposit very heavy securities which magistrates might demand under the proposed law? If the security was forfeited in any case, it would be out of question for the concerned editor to think of starting another paper, because he would then have to deposit a heavier security again. In this way, the profession itself would come to be wound up in the State.

Some members had observed that honest journalists had nothing to fear from the law. But the speaker did not agree to that view. In his Opening Address, the Dewan had referred with pride to the proposed large investment of Rs. 150 lakhs recently sanctioned for the Gersoppa Hydro-Electric project. It was not so much of electric lighting that people wanted as real enlightenment and inward light. This could be provided only by newspapers. By suppressing them, the Government could certainly not help the progress and prosperity of the State. From this point of view, the proposed law, he said, was most undesirable and he therefore opposed the bill with all the strength he could.

Mr. K. N. PUTTANNA however agreed with some of the members who had said that newspapers were generally in the habit of publishing exaggerated and distorted versions in some cases and omitting all references to healthy and popular movements or belittling their importance. Even in British Indian provinces where Congress Ministries were in power, the Press Law had not been repealed. He was therefore unable to follow those members who were pleading for the repeal of the Act in Mysore. He was personally aware of some Congress workers going into villages and holding out all sorts of imaginary promises to the ignorant raiyats and also carrying

on propaganda through press correspondence which resulted in shaking the confidence of the general public in the Government and their loyalty to His Highness the Maharaja. If such a dangerous campaign should be put an end to, a stringent press law was certainly called for. He therefore supported the bill.

Mr. K. L. NANJAPPA NADIG said that from the provisions of the bill it looked as though the Government did not want that any newspapers should thrive in the State. He recalled to mind in this connection what the Dewan had said on a previous occasion, to the effect that he was looking forward to a time when each village had its own dispensary, school, reading room, etc., and asked what purpose a reading room could serve if there were no newspapers. He was of opinion that the clause demanding security from the printer or publisher of a press was too stringent to permit of journalism thriving in the State. He suggested that a licence fee be levied and permission granted to edit a paper without any further restrictions.

One of the members who supported the measure had said that the newspapers were in the habit of disseminating false and sensational news without verifying them in the first instance; especially when such news related to incidents in respect of which feelings ran high among the people. And as an example that member had pointed out that in connection with the disturbances at Viduraswatha, almost all the important vernacular papers had published the sensational report that a woman *enciente* who was performing *pradakshina* to the sacred Aswatha tree, was one of those who were killed as a result of the police opening fire, and had opined that this news was, on the face of it, incredible, because it was only those who were praying for children that believed in going round the sacred tree invoking its blessings; and yet it had not occurred to the editors of the papers that the information they published could not be true. Referring to this criticism, the speaker stated that there was nothing improbable in the news under reference. It was quite likely that after becoming

pregnant, the woman might have undertaken the pilgrimage in token of her gratitude. But that one particular incident apart, the speaker said that he was opposed to the measure on other grounds as mentioned by several of the previous speakers.

**Mr. KANLE VENKATAGIRI RAO** opposed the measure on the ground that the vernacular press in Mysore was contributing a good deal for the cause of Kannada language and literature and that this cause would suffer a serious set-back if the vernacular press was not encouraged.

It was highly desirable that editors of newspapers should be men with a high level of education and also have sufficient financial backing. In Mysore unfortunately such men were very few. This was the reason why the number of newspapers in Mysore was not as large as one could desire. It was therefore necessary to give every possible encouragement to the few people who had come forward to conduct newspapers in the State. If the proposed law was enacted, these persons would be hit hard. Consequently they might not care to edit papers at all in future, in which case the progress of the State, particularly in literary, social, economic and political spheres, would be retarded.

As a result of a general awakening on the part of the masses in Mysore, a determined agitation in favour of Responsible Government was being carried on in the State. If Responsible Government was to be secured, further propaganda in its favour was necessary and propaganda could not be carried on effectively by any means other than through newspapers. Even in this view, it was not desirable to interfere with or discourage local papers.

Again, quite apart from political considerations, it was most desirable that each village should have its own reading room and library. In fact the Dewan himself had once remarked that it would please him if every village had its own reading room and library. The realization of this ideal also would become impossible if newspapers did not reach all the villages.

Speaking of the merits of the measure, **Mr. VENKATAGIRI RAO** remarked that not even a single provision was an improvement over the existing law. The powers which the Government had proposed to retain in their own hands were vast, and those proposed to be given to the police and the magistracy were discretionary. There was no guarantee that even the appeals which editors of newspapers could prefer under the proposed Press Law would be gone into and disposed of on strictly judicial lines. This was an additional point against the measure.

One hon. member had suggested that the law might be agreed to by the Assembly in its general outline and the details be left to the scrutiny of the Legislative Council. But the speaker said that those who were aware how the Legislative Council was constituted at present knew how far the Assembly could trust the Council to dispose of questions on merits.

He agreed that there must be some sort of control over newspapers. But he did not agree with those who said that newspapers generally published false or exaggerated news. This was essentially a matter of opinion. In this view it would be meaningless to suggest that the Government was competent to prescribe the limits within which alone newspapers could work. The restrictions proposed were too many and too hard. The proposed law was certainly more reactionary than the existing law and therefore deserved to be voted down. He therefore thought that it would be well if the Government themselves withdrew it and brought forward at the next session of the Assembly another measure containing liberal provisions.

**Mr. K. V. SUBRAMANYASWAMI** was of opinion that the Government could take action against all erring journalists even under the provisions of the Indian Penal Code and therefore it was not necessary for them to have a separate Press Law for that purpose. The fact that they proposed a stringent measure only went to show that the police and the magistracy were not taking action in accordance with the existing provisions. This, in other words, amounted

to a betrayal of remissness on the part of the police and the magistracy. He hoped that this was not a fact and that the police and the magistracy were doing their duties ardently.

He did not believe that the generality of newspapers were interested in spreading false news or making exaggerated and sensational reports. Even if such things had taken place on occasions, it was quite open to the people affected to contradict such news or reports. And where the Government happened to be directly concerned in any case, it was open to them also to publish correct news through their Publicity Officer.

One of the previous speakers had invited the attention of the House to the fact that His Highness the late Maharaja had been graciously pleased to extend liberal financial aid to a certain newspaper. The speaker wondered why the present Government should depart from that healthy precedent and think of suppressing or curbing newspapers.

It was well-known that people in Mysore were poor and editors of newspapers too were not affluent. Such being the case, it would be unjust on the part of the Government to insist on heavy securities from such persons. Besides, the law did not specify the circumstances under which alone securities might be demanded. From a study of the various provisions of the measure, it looked as though the Government were trying to usurp for themselves all the powers which only courts of law could exercise at present. If such a stringent and retrograde law was enacted, it would have very serious repercussions in the State as a whole. For all these reasons, the speaker opposed the measure.

**Mr. B. P. BASAPPA SETTY** observed that many political complications had arisen in the State within recent months and thanks to the intervention of distinguished leaders from Congress circles, peace and harmony had been restored to the State. At such a time the enactment of a repressive law like this, could only be characterised as inopportune.

For a long time past members of both the Houses of Legislature had been

representing to the Government that the existing Press Law was too drastic and that it should be replaced by a liberal law. The Government promised to do so and were saying on the present occasion that by way of implementing the promise, they had brought forward the measure under discussion. No doubt when the Secretary to Government, General Department, explained the general principles of this measure, he had taken care to employ sweet and unobjectionable words as far as he could. But a study of the detailed provisions of the law could not but convince one that the law was certainly much more drastic than the existing one. He was unable to understand why the Government should have thought of such a bill, especially when they were rescinding all repressive orders as a result of the understanding they had arrived at with Sirdar Vallabhai Patel. As a class, editors of newspapers, particularly in Mysore, were a poor lot and it would be difficult for them to furnish securities. Besides, as the maximum limit for securities had not been mentioned in the general principles, the magistrates concerned might demand any amount of money as security and the papers being unable to furnish the same could only think of the alternative of winding up the paper. At a time when the vernacular newspapers published in the State were just securing circulation in different parts of the Karnatak, it would be very unfair to bring about such a state of affairs. It was certainly not a fact so far and it would be least likely in future that any newspaper would plead for a no-tax campaign or promote sedition and so on; and even if any of them did so, the Government could take necessary action against it under the existing laws. It was therefore unnecessary for them to have a stringent newspaper legislation for this purpose. It might be that such a law was in force in British India. But there was vast difference between the state of things in British India and in Mysore. The Press Law, as in force in British India was so stringent that, in the words of no less a personage than Sir Lawrence Jenkinson, Chief Justice of the High Court of Bengal, "it was

difficult to say to what lengths the operation of this section (*Section 4*) might not be extended by ingenious minds." Surely such law did not deserve to be copied by a progressive and enlightened administration like that of Mysore. The proposed law would place enormous powers in the hands of the Executive and this would result in a lot of mischief and harm being done to the local newspapers. For these reasons, the speaker appealed to the Government to take back the bill and help the progress of the State on proper lines.

**Mr. Bhupalam CHANDRASEKHARA SETTY** pointed out that one provision of the proposed law enabled the magistrate to demand a security before licence was issued and this power was exercisable by the magistrate even subsequent to Government granting permission for editing the newspaper. This would amount to saying that the magistrate had higher powers than the Government themselves. For this reason he wanted the provision in respect of securities to be deleted.

Speaking of the law as a whole, he observed that all subjects of His Highness were living in perfect amity and concord, that His Highness' subjects vied with one another in their loyalty to the Sovereign, and that communal clashes and riots which were such a sad common feature of northern India were rarely heard of in the State. In these ways the position in Mysore was certainly different from that in British India and there was hardly any justification for the Government here to copy the law in force in British India.

The supporters of the measure had made much of the so-called irresponsible writings appearing in the newspapers. Even if the writings could be so characterised, the Government had certainly powers enough under the Indian Penal Code to take action against the erring editors. If, instead of availing themselves of the provisions of that Code, the Government went on taking steps against particular newspapers under the Newspaper Act, they would be only advertising the importance of such newspapers, and the

Government's object to curb erring editors would thus be frustrated. In resorting to such repressive measures, the Government would also not be helping the public to develop a sense of responsibility.

An unprecedented political awakening had come over the State as a result of a variety of circumstances. A new era was dawning and the light of independence was already in sight. At such a time it would be most inopportune for the Government to enact the proposed repressive law. They would be helping the State by withdrawing the measure, for that would be the only way of enabling it to march along healthy and progressive lines.

**Mr. D. VENKATARAMANAPPA** wanted that there should be some law to control the newspapers. But in order that the editors should not be subjected to serious inconveniences, he suggested that the amount of security demandable by magistrates be fixed as low as possible.

**Mr. H. S. SURYANARAYANA RAO** said that the majority of the subjects of His Highness were definitely opposed to this measure. If the Government had any doubts about it, they would do well to take a plebiscite. Articles were also appearing in many of the newspapers in which reasons for opposing the measures were clearly explained. It was quite untrue to say that newspapers indulged in spreading false news or in exaggerating matters. They had never exposed themselves to the charge of sedition. The public service that newspapers were rendering was beyond question and the more they were allowed a free hand the more the country as a whole would stand to benefit therefrom. After all, every one was entitled to have his own opinion and if one newspaper expressed one opinion there was no reason why the Government should find fault with it even if their own opinion was different. Newspapers in Mysore were faced with many difficulties already and it would be nothing short of cruelty to expose them to greater hardships and difficulties in future. It might be that on particular occasions particular newspapers

might have erred. But that was hardly a justification for introducing a stringent measure applicable to one and all alike.

**Mr. H. K. MADIAH** was not in favour of placing any unnecessary obstacles in the way of the progress of newspapers. For this reason he preferred the existing law to continue in future also and said that there was no need for the proposed measure.

**Mr. T. S. ALI KHAN** did not agree with the view of certain speakers that the object of the Government in proposing this measure was to see that newspapers in the State were suppressed. Everybody knew the amount of good that healthy journalism could do to a country. Unfortunately however many newspapers in Mysore had published exaggerated reports on certain questions and on certain occasions. That was why the Government had felt the need for exercising a better control over them. In this view, he thought it his duty to support the measure.

**Mr. J. ASWATHANARAYANA RAO** remarked that all the members who had participated in the debate on this question so far had confined their attention only to newspapers whereas the bill referred not merely to newspapers but also to books and everything that was printed or even lithographed. If the restrictions complained of by some of the members with reference to newspapers were to be applied also to all books, leaflets, sheets of music, maps, charts, etc., then not merely journalism but also literature would certainly suffer. Even at the first glance the proposed law looked to be more stringent than the existing one. As against 8 sections in the present law, the new measure contained 32 clauses, each of which was calculated to curtail the liberties of editors, printers, authors, etc.

As regards demanding security, in the statement of general principles, no mention had been made of the maximum amount up to which the magistrates could go. Similarly it was not clear whether the Government would give permission for editing a paper to every one who applied for it. He did not quite appreciate the reason why the

Government should reserve to themselves the power of giving permission to edit a newspaper. It would be preferable for them to entrust this power to some responsible officer of the Government, reserving for themselves appellate powers, if necessary.

With regard to the powers proposed to be given to the police, he did not agree that the latter were up to exercising that power with a due sense of responsibility on account of the fact that the general level of their education in a majority of cases was very low. He said that if all these restrictions were meant to apply to only newspapers, perhaps he would have considered the question how far he would support the bill. But as it was meant to apply also to books, leaflets, music sheets, maps, charts, etc., he thought that the provisions of the law were too drastic and unnecessary. He therefore opposed the measure.

**Mr. K. T. BHASHYAM AIYANGAR** stated that in the initial stages of the agitation for the repeal of the Press Law, members were representing to the Government that some of the provisions of the law were too drastic and the law should therefore be repealed. The Government were then justifying their position by stating that newspapers in the State were not committing any offence under the Press Law and that they need therefore have no fear whatever concerning themselves however hard the provisions of the law might appear to be. Later on, members began to represent that even though editors of newspapers were not subjected to the penalties contemplated in the law, still the very existence of a stringent measure like that was preventing the editor from discharging their duties boldly and impartially. It was then that the Government agreed to repeal the existing law and propose another in its place which would be more liberal and just. But it was seen on the present occasion that the proposed law was much worse than the existing one. When the members were all along pressing for a liberalisation of the existing law, a more stringent law could hardly be justified.

As regards the provisions, the speaker said that it was not very desirable for the Government to keep with themselves the power of permitting any editor to issue a newspaper. Because, after all, the higher officers composing the Government were ordinary human beings and personal equations were bound to influence their decisions. If, for such a reason, the authorities refused permission in any given case, the editor concerned would be helpless. His case would be decided once and for all. Similarly, in another case, even though a particular applicant was not deserving of the permission, it might be given to him because that individual might happen to be in the good books of the powers that be. So long as the representatives of the people had no voice in the administration, such partialities would remain as a common feature of the Government. Situated as they were, the members of the Assembly could only plead with the Government not to enact such unwanted laws, but to give some amount of liberty to every individual to act until he actually committed an offence and made himself liable to punishment. This argument applied with particular force to newspaper men. He did not see the reason why newspaper editors should be asked to go before the Government and ask for their permission. More especially since intending editors had to appear before the magistrate and secure licence from him, this sort of Executive patronage appeared to the speaker as altogether superfluous and meaningless.

He was surprised at the argument advanced by some of the members that a stringent law like this was necessary in Mysore, because even in the provinces in British India, governed by Congress Ministries, a similar law remained in force. That argument appeared to him to be poor logic. The existence of a bad law elsewhere could not be a justification for its adoption in Mysore. But there was one important point of difference which should be borne in mind by those who drew a parallel between Congress Ministries and the Government of Mysore constituted as at present. It was true that this stringent law was in

force in Congress-governed provinces. But if the Congress Ministries exercised this power or privilege or patronage in an arbitrary manner, *i.e.*, by granting permission to one undeserving applicant and rejecting it to another even though he was deserving of it, then the general electorate would at once call the Ministers to order, and if necessary even remove them from office. Was that a thing which the subjects of the Mysore State could hope to do, at any rate, at present? In other words, while the Congress Ministers exercised some check over certain public affairs, the electorates had certain counter-checks over them at the same time. Whereas in Mysore the administration exercised every check, the tax-payers themselves had no counter-checks over the Government. This in itself was a powerful reason for throwing out the measure in question.

Speaking of the inadvisability of editors of newspapers being asked to secure, as a first step, the permission of Government to edit a paper, he said that that step was rendered unnecessary by the provision that even after such permission, the editor had perforce to appear before a magistrate and obtain a licence from him. This second step was in itself a difficult process and was beset with considerable danger to the applicant in question. Because, the magistrate would, before granting licence, call for a report from the police as regards the previous history and the *bona fides* of the applicant, and the police would take full advantage of that opportunity to review the past history of the applicant and present before the magistrate exaggerated versions of all that could possibly be said against him. The speaker did not, however, object to newspapers having to obtain licence from magistrates. But it was the prominence thrust on the police that he was tempted to revolt against.

There was still another provision which he was not able to appreciate, namely, the prospect of magistrates demanding heavy securities from intending editors. It was well-known that the country was poor. It was well-known too that editors of newspapers in Mysore were anything but prosperous.

There would be no justice in demanding heavy securities from such editors. After all, there was no reason why any security should be demanded even before the offence was actually committed. The fact that one or two editors might possibly commit an error was no argument for each and every editor being asked to furnish security. Whatever the theory, once this provision was agreed to by the Legislature, magistrates would, as a matter of course, demand security from every editor. At any rate, such a contingency was quite possible. Newspaper editors were as a lot good men with generous intentions, and their one ideal was to serve the country, and incidentally eke a livelihood for themselves. If such useful benefactors of society were to be asked to furnish security, he would be tempted to ask whether those at the helm of affairs of the Government could not with equal justice be called upon to offer securities. It might be that the opinions expressed by an editor of a newspaper might not always be palatable to the administration and that the authorities therefore might call upon the editor to furnish security. But it was often the case that the views and opinions held and expressed by those in power were not palatable to the taxpayers in general. Would these be wrong therefore in demanding heavy securities from the authorities themselves? It was all very well for the advocates of the measure to say that the Government were taking securities from those proposed to be appointed as cashiers and so on. But the principle underlying that procedure was that the cashiers might happen to walk away with Government money and therefore as a measure of safety, the securities were taken from them. That certainly did not and could not apply to newspaper editors. It was commonly understood that security was demanded as a guarantee for good behaviour. And the very fact that the Government demanded security from an editor would inevitably give the meaning that the Government viewed him with some suspicion and regarded him as an offender from the outset.

Taking up the provisions of the measure, it would be seen from clause 5 (d) that the offences mentioned therein were such as to give power to Government to declare that an editor had committed an offence under one or other of the conditions stipulated. Even here the final decision rested on the Executive and not on courts of law. Even where the matter went before a court of law it was a matter of common knowledge that though the contending parties adduced witnesses and arguments and the judges gave judgments or decrees after weighing the pros and cons of the question at issue, this very case might often go up to the High Court in appeal and the High Court might reverse the judgment. Such being the case, nobody could be sure how far newspaper editors could depend upon the infallibility of the decisions of Government. No doubt there was a provision to enable the aggrieved parties to go in appeal. But it was a matter of doubt, at any rate, so far as he could see, how many editors would avail themselves of this provision with full faith in the appellate court.

Then, with reference to clause 5 (f) relating to bringing the administration into hatred and contempt, he said that the power vested in the Government under that clause was so vast and elastic that the Government might as well say that any one who made a remark that the order of Government in a particular case was not just or fair, committed an offence under it. Similarly if any act done by Government or order passed by them was not agreeable to a section of the society and if any editor were to express that view, the head of the administration might at once condemn him and might have him booked at once. This, the speaker remarked, would be highly unjust. It was not a fact that newspapers in the State abused their privileges and tried to bring the duly constituted authority into contempt, or incited anybody to violence; and much less was it true to say that there was incitement to sedition in any part of the State. Newspapers were as anxious as anybody else that the State should progress. The only reason why members were opposed to placing

large powers in the hands of the Government was that they feared that when once it was done the Government might make full use of those powers. Even under the original law, members feared that the Government had powers which were too vast and that was the reason why they had formerly pressed for a modification of that law. Such being the case, they could never agree to a more stringent law such as the one under discussion.

It was stated in favour of Government that newspapers sometimes published very exaggerated reports and therefore deserved to be pulled up. And as an instance thereof, it had been stated by the supporters of the measure that in connection with the recent Viduraswatha disturbances some newspapers had published the news that as many as 32 persons had died as a result of the police firing, whereas according to them only a few were dead and that it was on account of such exaggeration that the local Kannada dailies had been gagged. Apart from the statistics published by the newspapers, the Government themselves had issued a communique at first in which they quoted the number of dead as only 7, but very soon they themselves modified that figure and stated that 9 persons had died as a result of the shooting. Now the representatives of the Congress were averring that as many as 14 had been killed and were expecting that the number would go up surely to 22 and probably even to 32. In other words, if the popular version had over-stated the case, it was evident that the Government, for their part had under-stated it, so that the one circumstance of exaggeration was not in itself sufficient for supporting Government's action in having gagged the papers. It would be worth while for the Government to note that the more they tried to suppress a thing the more it gained in strength. It mattered little whether the newspapers published accurate information or exaggerated reports so long as the Government had their own Publicity Officer whose responsibility it was to supply accurate information to the public on all grave occasions. Government

no doubt withdrew the licence given to the newspapers. But what actually happened? No doubt the local newspapers suffered. But outside newspapers began to give the news in the very same strain. Did the Government stop them? They did not. Besides, several of these newspapers wrote all sorts of carping criticisms against the Government, and some of them went even to the extent of publishing most damaging cartoons in respect of the Head of the administration. The speaker was not sure if the Head of the administration had seen any of those cartoons. The action which the Government had taken in gagging the local vernacular papers was like a man closing the front door of his garden and thinking that no bird could enter it. What was the result of Government having taken repressive measures at the time? They had to listen to and abide by the arbitrations of prominent men from outside.

The bill under reference treated as an offence encouraging any subject of the State to refuse to pay assessment until a certain question relating to him was decided by the Government. The speaker was not aware how such a thing could be regarded as an offence. No doubt the Government would not allow assessment to fall into arrear even though the individual refuses to pay. They had the power to collect and they would collect the assessment somehow. But that was a different matter. So long as one was entitled to certain relief from the Government, it was quite right for one to say that that relief ought to be given to him before his tax was collected.

Proceeding, the speaker remarked that even the drafting of the bill did not appear to have been done with due care or precision and cited clause 5 (g) as an instance in point. He did not know whether it was an offence to induce a public servant to do an act which the Government themselves expected him to do but which he was not doing to the best of his ability. Suppose the speaker induced the Government or the concerned Member of Council not to press this bill. That would also amount to an offence under

the said clause. It might perhaps be that the clause was borrowed from some other law in force in India. But that would not satisfy the speaker. It was his ambition that any law in force in Mysore should be such as to compel respect from all parts of the world.

The **PRESIDENT** said that he would be glad to have a model Act prepared by the member.

**Mr. K. T. BHASHYAM AIYANGAR** replied that he would be equally delighted to prepare such a bill and that he was in fact hoping for a model legislation at no distant date.

Proceeding, he pointed out that as the law stood, the Government might declare anything as an offence and the result of that would be that public workers would lose all their courage and public life itself would deteriorate. Every editor and every public worker would either have to withdraw from the field or in order to get on, make it a religion to go on flattering the powers that be. This, he feared, would be a most unhealthy state of affairs. The best policy for Government would be to allow newspapers to have their own way and even if they made mistakes, simply to help them to rectify their mistakes. By saying this, he did not mean that the Government should have nothing whatever to do with the newspaper press. He was also one of those who wanted some control over the newspapers. But no restrictions should be placed on them at the very outset. Every newspaper must be allowed to publish whatever news and reviews it might like. And if it was found that a newspaper actually committed an offence, then it would be time for thinking of the punishment it deserved for it. Even then the punishment ought not to be given by the Executive. It must be left for the courts of law to consider the nature of the offence and the punishment it called for. Even after the courts meted out the punishment, it should be open to the party concerned to go in appeal to a higher court. In all other cases of offences and punishment, such a procedure had been allowed in law. Why in the case of newspapers particularly the powers should be summary and final

was a matter which the speaker could not understand. It might be that the Government feared that a lenient view would tempt the editor to commit the same offence again. But that was a matter which could not be helped. A thief might be once convicted. But coming out of the prison he might commit theft again. A murderer might come out of the jail and think of committing murder again. These were not things which could be put a sudden stop to by any power on earth. Besides, it was not right for the Government to think that a newspaper would commit an offence, much less to think that the same editor would go on committing the same offence repeatedly. This sort of distrust on the part of the Government would only beget similar distrust on the part of the public. In these circumstances, he did not know why the Government should be so touchy about anything published in newspapers. Even granting that nothing adverse was written in the newspapers, could the Government take it for granted that no one on earth had any adverse opinion relating to them? In a way the speaker would prefer open writings in papers whenever there was any criticism to be levelled against anybody. The inevitable result of Government suppressing such news, would be that discontent would be driven underground for the time being, but in course of time it would assume proportions which it might be hard for any Government to resist.

In the light of the foregoing arguments, the speaker hoped that the Government would see the justice of withdrawing the proposed measure and instead of resting content with the existing law, have statesmanship enough to effect all necessary amendments to it with a view to rendering the Press Law in Mysore a welcome measure and a model for all the rest of India to emulate. If this was done, the speaker was certain that it would make for the ordered progress of the State. Otherwise it would certainly jeopardise the interests of the State.

*At this stage, the Assembly rose for lunch and reassembled at 3-30 p.m.*

**Mr. R. GOPALASWAMI IYER.**—Sir, on the Press Bill, I want permission to speak in English. The difference in the angle of vision between the Government Officers and the non-officials is only this. PRESS stands from the non-official point of view for *Public Rights Effectively Shown to the Sovereign*. And from the official point of view it is *Personal Revenge Easily Shown to the Sovereign*. It is as between these views that there is some difference of opinion.

I wish to bring to the notice of this House that first we start on rumour, then it comes to gossip and innuendo and then to propaganda. So, whether the propaganda that is done is good to the State or not is the thing that is on the anvil now. Newspapers thrive if the customers patronise them. The customers patronise a paper if what they require is published in it. From the stand-point of the editor, he wants freedom and he has absolutely no time to go through every correspondence that comes to him. Our newspaper editors are at a disadvantage when compared with editors of well-established papers like *the Times of India*, *the Madras Mail* or *the Hindu* because, our editors here are just starting with very small capital. What they require at the hands of the Government is a fair chance to represent the views of the people; but what the Government want is that what the newspapers publish should not incite the subjects. Very many of the reading public may not take the things published at their face value, though some of them may read between the lines, before accepting them as true, honest and correct. So Government want to check rumour, gossip, innuendo and propaganda on the part of the newspaper editors and the newspaper editors want on their part to see that they cater to the tastes of the public and thereby earn a living. Between these two, the devil and the deep sea, the editor has to see that he thrives.

Now I wish to bring to the notice of the Government, that, after all, all of us wish that the State should prosper. There is not even one man here,

whether he belongs to this party or that, who does not wish well for the State. It is an irony of fate that the Mysore State has not got one single English newspaper of its own. What is the reason? Here we have not got capitalists. We have not got a corporate body to form a syndicate for a paper. Every one—the Government and the people—is interested in educating the public. So I would appeal to the President that the Press Law may be so modified that it may not be a mere copy of the British Indian law. There is no Sovereign there, but here we have our Sovereign. Both the Government and the governed here are Indian. Let us not copy British India. I request that this bill may not be put to vote, but that it may be postponed to the next session to enable the people to bring forward a bill which would be acceptable both to the people and to the Government.

**Mr. K. LAKSHMINARAYANA RAO** observed that the scope of the law under discussion was such as to make him feel that the measure had been conceived with a very narrow outlook. In the preamble itself the Government had made it plain that the underlying object of the measure was to have "efficient control over newspapers" and not meant to promote the growth of journalism in the State. In fact this latter view was altogether absent from the scheme of the law. He did not know why the Government viewed it in such a narrow light and why they should not have rendered it possible for the newspaper profession to progress, helping it, at the same time, to get over any unhealthy rivalry as between one paper and another.

The complaint against the existing law was that it was repressive and sometimes oppressive. The new law had exposed itself to the charge that it was suppressive, because at every stage, newspapers were made to face difficulty and repression. In these circumstances, no one would be prepared to edit a paper however well he was backed up financially.

Section 4 of the draft bill sought to exercise strict control on "comments on public news." Commenting

on public news was an ordinary right of any and every citizen and there was no justification for interfering with the exercise of that right by the people. If that section was enforced, nobody could, even with the best of motives, exercise freedom of speech. After all, it was worth while for Government to consider what indeed was the ideal of journalism. Psychologists had shown that more than heredity, environment was important. In this view, it was the duty of the Government to provide proper opportunities for newspapers to develop. It was not the object of newspapers to publish unwarranted news either against the officers of Government or against the Government itself. In fact, there were no editors of that type in Mysore. It might be that sometimes unverified reports appeared in some papers. For that, there was one important reason which the Government should understand with due sympathy and insight. The difficulties of the editors of papers were very many and varied. No doubt the editors had their own responsibilities with regard to the publication of news, but then, the Government would not be right in laying all the blame at the doors of editors only. It looked as though this law took only the darker side of the case into account, and the brighter side never appeared to have received consideration at the hands of its framers. Government were trying to justify the proposed law on the ground that it had been drafted only in view of requests from the members of the two Houses, but it would be pertinent to recall that what the members of the two Houses had been urging for so long was the repeal of the existing law and not the substitution of another law which was worse in so many respects. The members would be entitled to ask for an enquiry being held whether so many repressive clauses were at all called for before they lent their support to the draft bill. In the alternative, they were entitled to be furnished with facts and figures by the Government with a view to showing that such clauses were really called for. Even in cases where an editor was

shown to have committed an offence, the question for consideration would be whether the offence was merely a technical offence or one which warranted severe punishment. Like a race horse which could make no progress if the reins were held too tight, a newspaper could render no service if at every stage the sword of Damocles was hanging over it. Instead of exercising such an unhealthy control over newspapers at every stage, Government would be well advised in giving them due liberty of action particularly in view of the service which local vernacular papers were rendering to the cause of Kannada language and literature. This and other services of the papers had to be taken into account before Government judged whether any paper was good or not. He did not believe that the Government were altogether ignorant of these prime considerations with regard to newspapers. Rather, he thought that all these stringent measures were thought of by them for the main reason that the local Congress was assuming such importance in the State and getting such a strong hold over the masses that the Government had begun to dread it like a veritable devil and that therefore they were thinking of all possible measures to put it down.

It was true that one member had suggested at the previous session of the Assembly that the Press Law in Mysore should be re-drafted on the lines of the British Indian law. But that was certainly not the general opinion of the country either then or at present. Even if it was the opinion some time back, it must be borne in mind that the political outlook in the country had undergone a vast change. The Government did not appear to be alive to this. The trend of the times was being misunderstood by them. It was a mistake to suppose that the awakening of the political consciousness of the people would be delayed by keeping the newspapers under their thumb. Political foresight and statesmanship would, on the other hand, dictate to the Government the wisdom of encouraging the growth of political life in the State

The last thing for any wise Government to do would be to prevent the dissemination of political news. After all, the ideals of a paper should not be judged so much by the news contained in it as upon its editorials. The Government might say that so many items of news published in a paper were open to objection. But they should also consider whether there have not been many more items which the editor in his wisdom had preferred not to publish. It was in this way that the Government should judge the *bona fides* of the editors. He did not believe that the Government had conducted any enquiries whatever on these lines. It was merely on account of their dread of the Congress that they had proposed this law. As a matter of fact, there was no reason for any Government to be afraid of the Congress and try to counteract its influence. The Government would be mistaken if they thought that the growth of the Congress spirit in Mysore would jeopardise the sovereign rights of His Highness the Maharaja.

The Government forgot that in proposing a law such as the one in question, they were trying to usurp for themselves all functions which should justly be exercised by only courts of law. For example, the discretion to permit a paper to be issued or not as well as the discretion to suspend the licence, etc., were all powers too vast to be reserved for any Executive. Even the powers proposed to be vested in the courts of law were too large. One clause empowered the magistrate to revoke his own order made under Section 1. But the circumstances under which such power could be exercised had not been prescribed anywhere. In a word, all these powers could only be characterised as arbitrary. It looked as though that even if instructions were sent to them by the executive officers of the Government, the magistrates would be bound to obey them. Even the magistrates were not expected to satisfy themselves whether there was any reason to justify the withdrawal of permission. The whole procedure appeared to be more like administrative than judicial procedure.

R.A.

Again, magisterial action was necessarily dependent upon the nature of the reports submitted by the police. For example, search warrants would be issued no doubt by a magistrate, but the execution thereof depended only on some low-paid police officer. It was unnecessary to explain all the risks and difficulties to which the editors would be exposed if this power was vested in the police, particularly in view of the low level of education of many a police officer.

For all these reasons, he said that the proposed law was anything but satisfactory and it was his duty therefore to oppose it.

Mr. A. N. RAMA RAO said that the measure had been discussed by several members of the House from different points of view. All the speakers including those of the Congress party had agreed that a certain amount of control on newspapers was necessary. As regards details, he felt that there were certain drastic sections in the measures. One of them pertained to the demanding of security. In the bill it had been stated that the magistrate *may* demand security, but it was not known whether the magistrates would not take it to mean *shall*.

It had been stated in the statement of objects and reasons that the bill had been brought up as a result of repeated requests made by the members of this House as well as those of the Legislative Council. While he did not dispute that point, he regretted that the measure had not been framed with a liberal outlook. Even as it was, the editors of newspapers were experiencing great difficulty in running their papers and the proposed law would certainly add to their difficulties. He would therefore suggest that the section relating to security be deleted from the bill. Also in the section relating to bringing the Government or their officers or His Majesty's Government into contempt, etc., some radical modifications were called for. No doubt under the bill, the High Court had been given revisionary powers, but he personally felt that appellate powers to the High Court would be much

better. The measure required to be amended in these and other respects. He would therefore request the Government to take it back for the present and place it before the House some time later embodying therein the changes suggested by him and thus help more and more newspapers to come into existence and thrive in the country.

As had been remarked by one of the previous speakers, Mysore was a Kannada country whose greatness had been sung by many a poet in the past. The name and fame of Karnataka and the Kannada language and literature had spread far and wide and commanded universal respect. In view of the recent orders of Government, Kannada had been prescribed as the medium of instruction in some of the high schools as an experimental measure and there was no doubt that very soon, Kannada would be the medium of instruction in all the high schools and perhaps in the colleges also. In this view, it had become necessary to have text-books in all subjects in Kannada and this could be achieved only if due recognition and help was given to writings in Kannada. The editors of papers being among those who were toiling for the cause of Kannada, it was desirable that the law relating to newspapers should be liberalised and facilities given to them to get on in the profession.

In reply to the debate, Mr. S. P. RAJAGOPALACHARI stated that the bill under discussion was one to which the Government attached first rate importance. It had been debated upon in the House for one full day and therefore it was not necessary for him to explain at length the necessity for this bill. But without occupying more time than was absolutely necessary, he wished to explain certain essential features of the bill and to meet some of the important points raised by those who had opposed it. Every one in the House desired to discuss the bill with due thought and patience, but it was a pity that some of the speeches, particularly the one made just before the House rose for lunch, seemed to be lacking in that virtue. Nobody need presume that Government had drafted

or proposed this bill without due deliberation. The question had come up for discussion at the previous session of the House and at the end of that discussion, he had explained that the law which was already on the Statute Book was preferable in some respects to the British Indian law and that he would request the House to consider calmly whether they would prefer to have it or to have another law on the lines of the British Indian Act and give their decided opinion in the matter. In reply, one of the members of the House said that the Government might bring up a new law on the lines of the British Indian Act. In fact, that member had made a remark in making that request that half a loaf was better than no bread. That member was present in the House on the present occasion also and he hoped that that member would agree with the speaker that he had made the request referred to.

Mr. C. N. NARASINGA RAO, interrupting, stated that he had no doubt said what the First Member of Council read from the proceedings of the House, but he had also stated in addition :

"that some of the provisions contained in the British Indian Law were incorporated in 1930 when the political situation was very tense, the non-co-operation movement was at its height and the most stringent action against a good lot of newspapers was considered necessary. Such provisions were certainly not called for in Mysore. Anyhow, he was glad to note that there was no difference of opinion on the question that the law as at present existing should go, and he therefore requested the Government to bring up a modified bill at the following session of the House and provide an opportunity to the members to discuss it on merits so that it might be liberalised to the extent possible."

He did not believe that those words which he had uttered at the previous session gave the meaning which the First Member of Council had sought to attribute to him.

Mr. S. P. RAJAGOPALACHARI, continuing, said that it was not necessary to discuss what one member or another had stated at a previous session. What he was trying to make out was that as a result of the request made on behalf of the Assembly, Government had promised to bring forward a bill on the lines of the British Indian Act and that

was exactly what had been done by the Government on the present occasion. The proposed law had been drafted on the lines of the Act which was in force in all parts of British India including those provinces which were being governed by Congress Ministries.

One of the opponents to the bill had made a statement on the previous day that the British Indian Act was likely to be repealed in the provinces governed by the Congress Ministries. But so far as the speaker knew, there appeared to be no such idea in those provinces. In fact, the ministries were making full use of the law. The speaker had in hand an extract from a paper from which it appeared that at a meeting of the Prime Ministers it had been agreed that the ministers should be permitted to take necessary steps to control certain classes of newspapers, if necessary by demanding securities. So he did not think there was any proposal for the unconditional repeal of the existing law in British India.

The main question for consideration was whether newspapers should be allowed full and unrestrained freedom, or whether there should be some control over them. Some members were of opinion that there must be full and unrestrained freedom. Some others thought otherwise. But the general sense of the Assembly seemed to be that some sort of control should vest in Government. Even Mr. Bhashyam Aiyangar who had so vehemently opposed the measure had, towards the close of his speech, agreed that the newspapers should be subjected to some control and that for this purpose the existing law might remain in force with some modifications. Even he had not pleaded for the total repeal of the Press Law. Thus, there was no difference of opinion on the point that some control was absolutely necessary. The only question for consideration therefore was the particular form and the exact extent of that control.

Some members had contended that the proposed law aimed at too much control. The arguments advanced in favour of that view were not very convincing to him. One member had

stated that in this the 20th century, such measures of legislation ought not to be brought forward at all. That member had perhaps forgotten that it was in this the 20th century that so many new circumstances had arisen necessitating new laws. Motor cars, for example, were of recent origin and even in these days of liberty and freedom, restrictions in matters of speed, etc., were found necessary in the interests of the safety of the lives of people. So, that kind of argument could not be of much use to anybody.

It was also suspected by some members that the Government had some needless apprehensions or ulterior motives in proposing this measure. And one member or two had definitely stated that the Congress Party had come to exercise a lot of influence over the masses and the Government, in their dread for the Congress, had proposed this measure with a view to counteracting that influence. Obviously those members had forgotten the fact that this question of replacing the existing Press Law by another on the lines of the British Indian Act had been under consideration for some years past, at any rate much earlier than the Congress came to exercise any degree of influence in this State. It was a full year since the Government had promised to bring forward such a law and in fact, the first draft of this measure had been prepared soon after the Government made that promise, so that there was absolutely no justification for anybody thinking that the objective of the Government was to counteract Congress influence.

A few members had advanced the theory that the Government wanted that no newspaper should thrive in the State and therefore it was that they had drafted such a stringent law. The speaker had no hesitation whatever in giving the House and through it the general public, the sincere assurance that nothing was dearer to the heart of Government than that the newspapers in the State should be as large in numbers as possible, that they must take as prominent a part as possible in the public life of the State as a whole,

and that every one of the papers should thrive and prosper. Nor were the Government in any doubt that newspapers worked on proper lines would promote public good. Such papers would always be welcome as much to the Government as to the public. One might ask, if that was the view of the Government, why there should be any such bill at all. That question he would try to answer thus. A law regulating the control of newspapers was already on the Statute Book. The members of both the Houses thought that that law was too hard. In view of that opinion, Government had proposed a revised bill. Even in the revised bill, Government did not see that there was anything objectionable. Could it be said, he asked, that the Government of India also never wanted that no newspaper in India should exist or thrive? The Government of India had then stated as under in the statement of objects and reasons:—

"Having regard to the existence of a movement which has for its object the overthrow of the present social and economic system by violent means and the constantly recurring outbursts of communal feeling, Government cannot safely relax their existing powers for the control of the press and of unauthorised news-sheets and newspapers . . . ."

This was exactly the object of the Mysore Government also. It was not their object to stifle them to death or to turn them beyond the borders of the State. He did not know how far the apprehension, that the moment the proposed law was enacted, all newspapers would go out of existence, was warranted. There were Newspaper Acts all over the country and yet newspapers were functioning by the hundreds. Surely, it could not be said that every one of those papers, was being subjected to untold difficulties. The members of the House need not therefore entertain any apprehension that the proposed law would affect adversely the newspapers in the State.

Some members had raised the question whether Government could not take action in the case of newspaper offences under some other Acts already in force and suggested that instead of the executive taking any action on their own initiative, they should empower the

courts of law to hold regular judicial enquiries and that courts of law alone should order any punishments which particular editors might deserve. In this connection, he would like to remind the House that the chief purpose of all Acts like the one under consideration was that the Government should be enabled to take prompt action. There could be no objection in principle to stating that all cases including those relating to sedition, etc., should be heard and disposed of only by competent courts of law. But sedition, for example, had been exhaustively dealt with in the Penal Code. Besides, the trial in a court of law, especially when charges like sedition were in question, would necessarily be prolonged. In other words, the very object of such legislation would be frustrated if any action to be taken against papers had to be taken only by courts of law. But this statement of the speaker should not be mistaken by any one as being tantamount to saying that the Executive should have the final voice in important matters like this. That was why sufficient safeguards had been provided for on behalf of the newspapers such as appeals to the High Court, etc. The Member also reminded the House that this point had not come up for discussion for the first time on the present occasion. So long ago as 1931 when a similar bill was under discussion before the Legislative Assembly, this very question had been discussed at great length. In reply to that discussion, the then Law Member stated as follows:—

"My submission to this hon. House is that from the point of view of speedy administration in the initial stages, it has been found necessary and indeed no other course would eliminate the inevitable delays of a summons case dragging its weary length as is contemplated in the amendment—in the initial stages, it is undoubtedly action savouring of an executive character which is found necessary, but in order to rob that executive action of all those features which are objected to by the other side, we have given the fullest possible rights to the High Court which is by the combined operation of the various sections really converted into a trial court. I submit, therefore, that you get the speediness and the efficacy of the executive action, combined with all the safeguards of a judicial trial by the combined effect of the clauses to which I have referred . . . ."

The main point that the speaker wanted to emphasize was that in emergent

cases, executive action by the Government was inevitable. For taking such action, it was necessary that the Executive must have the power. But subsequently when the case went up before a court of law, it would set right any injustice which might have been done by the executive. So, there was nothing new in the measure proposed by the Government.

One or two members had taken objection to Mysore copying the British Indian law. One member indeed expressed the lofty ambition that Mysore should provide model laws for all the rest of the world to emulate. The Government of Mysore had no such ideal or ambition. All that they wanted was public safety consistent with the experience that other governments had gained. It would be wise for them if they were prepared to profit by the experience of others. These were not matters on which any government could afford to experiment. The same member had also made a delightful promise to present the House with a perfect Act at no distant date. The speaker would patiently wait for such a day and until that day arrived, Government would rest content with laws which were considered as good enough.

Some members had asked why the editors of papers should first obtain Government permission at all and be called upon to appear before the magistrates afterwards. This point had already been answered by another member, Mr. S. C. Malliah. Government's permission was provided for even in the existing law. So, the provision in this behalf in the bill was nothing new.

Having said all this, the speaker had pleasure in stating that in view of the representations made by many members, Government were prepared to delete clause 3 from the bill under discussion. After this deletion the bill would be merely a copy of the British Indian law and the members need therefore have no more apprehensions about the measure.

Proceeding, the Member said that only recently he was discussing the question of the Newspaper Act with a certain gentleman connected with newspaper editing. In the course of that

conversation, that gentleman told the speaker that newspapers were labouring under three main difficulties, viz., (i) that the provision in respect of Government permission or withdrawal thereof was hanging as a sword of Damocles, (ii) that whatever action Government might take against newspapers, the former were not bound to explain the reasons behind their action, and (iii) when once a licence was suspended or withdrawn, the editor was compelled to go before the same Government for permission to resume his paper or start another in its place. If clause 3 was dropped as already promised, not only would the law become a mere replica of the British Indian Act, but all the three main difficulties complained of would at once disappear. In the first place, permission of Government would no longer be necessary. Secondly, the reasons for any action taken by the Government would have to be explained in accordance with clause 5. Thirdly, the editors would no longer have the necessity of appearing before the same Government for permission to resume a paper the licence of which had been suspended or publish another paper in its place because it was before the courts of law that editors would have to appear in future for permission to edit papers.

As had already been explained, newspaper editors would find every safety in the provision relating to appeals to High Court. Surely, the High Court's decision would be the last word on the subject, and if, in any particular case, the High Court felt that the Government were not justified in making the order in question, then necessarily the said order would be withdrawn or modified, as the case may be.

Mr. Bhashyam Aiyangar had stated that many an editor might not go in appeal at all. That was a matter which nobody could help. If an aggrieved party did not go in appeal and secure the relief which he thought he was entitled to, surely the Government could not help him.

In conclusion, Mr. RAJAGOPALACHARI stated that the difficulties complained of by the several members would

be removed under the bill as modified. A similar law had been in force in various parts of British India and nothing untoward had happened there. The very circumstance that a large number of newspapers were thriving in British India was an indication that the law as in force in British India was nothing to be afraid of. Generally speaking, newspapers in Mysore were no doubt conducting themselves well enough. But one could not be sure that the same state of affairs would prevail for all time and that was the only reason why some sort of control over the Press had been provided for. Government had noted for consideration the point urged by some of the members that the securities which magistrates might demand might be very heavy in some cases. Government would consider this point with due sympathy, when the bill went up before the Select Committee. Not only this. The Select Committee would consider whether any other clauses required to be made less stringent. It was not the idea of the Government to cause any harm to any paper. Government had no hesitation in assuring the House that no needless trouble would be caused to any paper in the State. He also said that this was not a party question, but was a matter of common interest to the Assembly as a whole. In view of this, he hoped that the bill in question would receive the wholehearted support of the entire House.

As a last word on this question, he would state that it was not the letter of the law that mattered so much as the spirit behind it. If the House was agreed on this point and if in view of the Government's assurance that they would work the law in a generous spirit the editors of papers also conducted themselves in a proper manner, then there would be no reason for anybody to apprehend any kind of trouble at any time in the future as a result of this legislation.

*The general principles of the bill were then put to vote and lost, 56 members voting in favour of it and 111 against.*

#### IV. General Principles of the Mysore Public Parks Bill.

THE CHIEF SECRETARY to GOVERNMENT (Mr. H. V. Ramasvami) explained the general principles of the bill as follows:—

"Government are maintaining large parks and gardens for the benefit of the public. There have been complaints that these parks are not properly used and the water sources therein are polluted. In the absence of any legislation, it is difficult to regulate and control the use of these parks by people resorting to them. It is therefore, proposed to introduce legislation giving power to frame rules for regulating entry into the parks and for prohibiting the doing of any act which is likely to interfere with the proper maintenance of the parks. Breach of the rules will be punishable with fine which may extend to one hundred rupees."

Mr. P. SITHARAMAIA said that in the interests of general health, all the subjects of the State should be at perfect liberty to make use of all available parks, but the proposed law would effectively prevent the bulk of the people, more especially the innocent people, from making use of the parks at all. No doubt, ostensibly, the object of the bill was said to be to prevent pollution of water sources. But the speaker had reason to believe that the law was mainly meant to prevent meetings being held in public places. Though this was called the Mysore Public Parks Bill, power was proposed to be taken to declare any open space or *maidan* as a public park. In other words, there would be no spacious ground or park available for the public to hold big meetings.

A perusal of the provisions of the law would show that even if a few friends went to a park with the most innocent object of merely enjoying open air and carrying on friendly talk or chat, there would be so much restriction placed in their way. There appeared to be no necessity for a law of this kind, because under Section 39 of the Police Act, and Section 144 of the Criminal Procedure Code and other Acts,

Government had even at present plenty of powers to deal with persons damaging the parks or holding objectionable meetings, etc. It would be a serious interference with the exercise of ordinary rights of citizenship if the authorities began to object to even picnic parties being held in public parks. It would be impossible for the Superintendent of Gardens himself to be present in all the parks at the same time. Naturally, the servant in charge might make a report against any person or persons who fell into his disfavour, that such persons held a meeting or demonstration in the park and that action should be taken against them. The authorities taking action on the basis of such reports would be attaching too much importance to the word of a low-paid servant and however honourable the persons complained against might be, their defence might count for nothing in the face of the servant's report. Besides, the law was proposed to be applied not to particular cities or towns, but to all places. Even in villages where parks and circles had just begun to be laid out or constructed, if such a rigorous law was to be applied, there would be little chance of anybody making use of such parks. In these busy days, people could not afford to have social contacts during working hours. If at all, friends must meet and chat, it could only be in the evening hours, preferably in public parks or gardens. Such a thing would become difficult in future if the proposed law was passed. Consequently people would prefer not to visit the gardens at all, lest the servant who might expect some gratification at their hands might, when he was disappointed, lodge a complaint against them and book them. And however unjust the charge against them, the defence of such people would count for nothing. Even granting that the courts would accept their explanation and dismiss the complaint, there was still the risk of the parties being detained in custody for 12 hours. If, however, the courts upheld the complaint, then the innocent people would be sentenced to a fine which might extend to Rs. 100. This surely was not

the way of popularising parks and inducing tax payers to have the benefit of the gardens. It looked to him as though the Government, realizing the difficulty of proving cases instituted under the Police Regulation or the Criminal Procedure Code against persons who were not in their favour, had taken recourse to this bill, with the help of which they wished to take drastic action against such persons, under cover of regulating and controlling the use of public parks. The law was as unnecessary as obnoxious, and he therefore felt bound to oppose it.

Mr. B. L. BYANNA did not believe that there were valuable parks and gardens in all parts of the State. If at all, such parks were maintained in the two cities of Bangalore and Mysore. Such being the case, he did not see any necessity for a law of such general application, as the one proposed. He was not aware that, even in the case of a few other towns where parks existed, persons visiting them were damaging the parks or polluting water sources. All that was known to him was that in the cities, of late, meetings of a political character were being held in such parks and Government, in proposing this law at such a time, would naturally be making themselves liable to the blame that they were trying this as one more way of preventing the holding of such meetings. If this was not their object, he would request the Government to withdraw this bill.

With reference to the remark that Government might have had some special motive in proposing this legislation, the **FIRST MEMBER** (Rajamantrapravina S. P. Rajagopalachari) assured the House that there was no such object behind the measure. He would straightway explain to the House the particular circumstances under which this bill had been thought of. The Superintendent of the Lal Bagh, Bangalore, had made a reference in which he had pointed out that the rules which had been framed for the proper maintenance of the gardens could not be enforced for the reason that there was no legislative sanction behind them. In one case, the Superintendent had got a

complaint registered against a certain party who was alleged to have interfered with the gardens. But the magistrate before whom that complaint had been lodged, dismissed the case on the ground that the Superintendent had no jurisdiction to pass those rules. Consequently, the general public would not care for those rules in future. In these circumstances, the Superintendent had requested the Government to secure legislative sanction to the rules in question. The bill under discussion had been proposed under such circumstances. Legislative sanction was necessary as it was not competent even for the District Magistrate to issue a notification making these rules enforceable. So, as had been done in some other provinces in British India, Government here also proposed to enact a law for the proper maintenance of public parks and water sources. Members need therefore labour under no misapprehension whatever that there was any political reason or motive behind this bill. All the provisions contained in the draft bill were similar to those in force in other parts of India. Government never disputed the point that public parks were meant for the common good of the people, but if thousands of people happened to hold meetings in a particular park, it would naturally prevent many other quiet-loving people from resorting to those gardens or parks. It was to prevent such misuse of parks and public places that this law had been proposed.

**Mr. K. T. BHASHYAM AIYANGAR** enquired whether any actual instances had come to the notice of the Government in which thousands of people took possession of parks for purposes of mammoth meetings, preventing other visitors from deriving the benefits of the parks.

**Mr. S. P. RAJAGOPALACHARI** said that he was only quoting that as an instance of the possibility of parks and gardens being misused, and added that all possibilities would have to be provided for while legislating on a question. But the main point to be borne in mind in this connection was that some rules and restrictions were absolutely

necessary if the parks and gardens should be maintained properly. In this view, he did not see any reason why members should be opposed to such an innocent measure like this.

**Mr. P. SITHARAMAIA** feared that once this law was enacted, Government might declare any and every place as a public park or garden by the application of the provisions of the law to such places and thus effectively make it impossible for a few people to join together and hold conversations or convene meetings.

**Mr. S. P. RAJAGOPALACHARI** said that such a fear would be altogether unjustified. No Government would be called wise if it applied the public parks law to places which could not be classed as parks or gardens. Even clause (b) of which Mr. Sitharamaia seemed to be much afraid did not give room for the fear which he entertained. No clause of any bill could be inconsistent with the general tenor of the bill as a whole. There was a rule of interpretation that one section should not be applied or understood as apart from the meaning of the whole Act. All the fears relating to clause (b) would be set at rest by the fact that clause (b) was merely an explanation of clause (a). Clause (a) referred to the regulation of admission of persons and the levy of fees if any; and that only with reference to the holding of demonstrations, picnics, meetings, etc. All the other provisions of the bill were most unobjectionable. They were elementary rules everywhere considered necessary for the proper maintenance of parks. In this view, he hoped that the Assembly would accept the general principles of the bill unanimously.

**Mr. K. T. BHASHYAM AIYANGAR** conceded that the object underlying the bill might be quite good and innocent. But the members had some objections to it in spite of that circumstance. He did not impute any motives to the Government in proposing this bill, but he was certain that if the bill was passed into law, it would affect the ordinary rights of the citizens of the State. He shared the fears expressed by Mr. Sitharamaia that if this law was

passed, Government might go on declaring as public park or garden any and every place which might be made use of for holding meetings with which Government might happen not to sympathise. If this was not the object of the legislation under discussion, it was open to the Government to assure the House that they would not do so with a view to satisfying the members.

Proceeding, the speaker pointed out that the First Member of Council had stated that some of the provisions of the bill had been embodied merely for the purpose of meeting possibilities. Even the opposition by some of the members of the House was on similar grounds, *viz.*, that they should not allow certain possibilities to happen. In particular he did not like the idea of Government thinking of levying or even taking power to levy any fee from persons proposing to use public parks and gardens. It was unfortunate that a fee was being levied from every visitor to the Brindavan Gardens at Krishnaraja sagara. The result of the levy was that most of the poorer class people were denied the pleasure of visiting those gardens. It would be still more unfortunate if a fee was to be levied from persons resorting to even the ordinary parks or gardens. It was not by placing such restrictions that Government should think of protecting gardens. At that rate they could as well think of keeping every park or garden under lock and key.

Continuing, the speaker agreed with the Government that no park or garden should be thrown open to thousands of people for holding meetings, thereby preventing others from going there for fresh air. Mr. Sitharamaiya had already explained that in the absence of the Superintendent, any low-paid servant would function as the officer in charge of a given garden and if the Government went on taking action on the reports or complaints made by an ordinary peon, it would amount to placing large powers in irresponsible hands. Even the magistrates would be tempted to attach importance to the peon's complaint rather than to the statement of the accused. Everybody was agreed

that public parks ought to be maintained properly and everybody appreciated the value of fine plants and sweet smelling flowers. It being so, the speaker failed to understand why Government feared that parks could not be taken proper care of without a law like this. If the Government wanted to keep the parks well, they must consult experts and think of the proper way of doing so. The method now proposed was like drying the fountain with a view to feed the stream. Because of the stringent nature of the penal clauses of the law under discussion, nobody would care to use the parks. Probably, it had been found that flowers and plants from public parks were being sold by some of the men on the spot and that was one of the reasons why the Government had brought up this bill. If that was so, it was a confession on the part of the Government that their employees were not true to their salt. It was up to the Government to punish those responsible for damaging the plants and flowers and if it was a fact that any body purchased flowers, etc., unauthorisedly removed from the parks, Government could certainly take action against such purchasers for receiving stolen property.

One of the provisions of the law to which the speaker would strongly object was clause (6), which placed too much power in the hands of the low-paid servants. Similarly, the bill did not define what "picnic" meant under this law and he feared that nobody would be free to resort to the parks if even the holding of a picnic was to be declared as a prohibited act.

Mr. S. P. RAJAGOPALACHARI said that the definitions were left for consideration in connection with the rules to be prescribed under this law when it passed through the Legislative Council. And he also assured the House that Government had no idea whatever of preventing meetings being held in public parks. For doing that, they had already enough power under the Police Act as well as the Criminal Procedure Code. The main and the only purpose of the law under discussion was

the protection of public gardens and parks.

MR. K. T. BHASHYAM AIYANGAR replied that he did not doubt the statement of the Government and that was why he had said at the outset that he would not impute any motives to this legislation. But his main point was that though the heart of the Government with regard to this measure was good, the path which they had selected was wrong. Supposing a meeting was held in an open ground, somebody might come and say that that place was declared as a public park and that therefore the meetings should not be held there. That was why he did not like the bill in question. After all, no damage was being done to the beautiful parks in the two cities. People had sense enough to realize the value of gardens and parks. Government should not therefore think that in the absence of a special law for the protection of gardens, people would seriously interfere with or damage them. He would say that as between State subjects and public parks, the State should certainly attach greater value to its subjects than to its gardens. In this view, there would be no justification for the Government to place any unnecessary restrictions on the subjects in their anxiety to protect parks. The proposed law was sure to cause great hardship to the people. Such an apprehension would not probably have been enter-

tained by members if the times had been normal, and if the cordial relationship between the Government and the public had not been disturbed as at present. And this was hardly the time for the Government to think of such special laws.

MR. S. P. RAJAGOPALACHARI said that similar rules were in force in the Calcutta Gardens and he did not see any reason why anybody should entertain any kind of apprehension about them.

MR. K. T. BHASHYAM AIYANGAR requested Government not to copy such laws from outside. After all, parks had not come into existence in Mysore only to-day. There were beautiful parks and gardens in existence even from the days of Tippu Sultan. And one of the features which had contributed to the reputation of Mysore was her famous gardens and parks. Mysore City itself was known as the Garden City of India, and the fact that such gardens had not been damaged by the public in the past showed that the generality of the public had realized the value of such gardens. There was no reason for the Government to think that in future parks or gardens might be damaged if the law as proposed was not enacted. For these reasons, he requested the Government not to proceed with this legislation.

*At 5-5 p.m., the House rose for the day to meet again at 12 of the clock on Monday, 13th June 1938.*

### THIRD DAY.

*Monday, 13th June 1938.*

The House reassembled at the Jagan Mohan Palace Pavilion on Monday, 13th June 1938, at 12 of the clock, Rajamantrapravina S. P. Rajagopalachari, First Member of Council, in the Chair.

### QUESTIONS AND ANSWERS—*contd.*

#### Reduction of Court Fees.

Q.—18, Mr. A. G. MUDDARACH-  
APPA, Bowringpet Municipality,—

Will the Government be pleased to state:—

(a) when the schedule of court fees was raised by the Government from Rs. 7½ to Rs. 10;

(b) the annual revenue realized since the enhancement of the above rate;

(c) the annual realizations when the rate was Rs. 7-8-0;

(d) the amount of 'stamp duty realized during the last 5 years (figures to be furnished yearwar);

(e) the difference in the realization of stamp revenue before and after the enhancement of the aforesaid rate?